

“Houses of Worship/Places of Assembly” Work Group Recommendation
Report of the Minority

I the minority of the “Houses of Worship/Places of Assembly” Work Group, appointed by the Board of County Commissioners of Frederick County, Maryland (“Board”) on December 4, 2008 having completed four scheduled public meetings pursuant to the scope of work as directed by the Board, hereby make the following findings and recommendations to the Board:

1. The existing development review process will not in all cases sufficiently address health, safety and public welfare concerns related to the development of Places of Worship in Frederick County.
2. There is a need for more restrictive regulation of the development of large scale Places of Worship in Frederick County.
3. There is evidence that while the existing development review process might be costly and time consuming for the faith community, it needs to provide a voice to and protection for the community as a whole.
4. The development of large scale Places of Worship through the existing development review process is not consistent with the six goals as outlined in the “Draft Goals, Policies, and Action Items under the “Theme-Preserving our Agricultural and Rural Communities” of the Countywide Comprehensive Plan Update.

The minority of the workgroup recommends:

1. That the Board acknowledges the special roles of the faith community and Places of Worship in Frederick County.
2. That the Board define Small Scale Place of Worship” as: “A facility or building(s) for the purpose of providing small-scale religious activities. Accessory uses may be limited to those customarily associated with a place of worship as provided within this Chapter (see section 1-19-201 and 1-19-376 through 410) or as approved by the Zoning Administrator.”
3. That the Board define Large Scale Place of Worship as a facility or building(s) providing large-scale religious activities/events larger than 37,500 square feet of total floor area or exceeding 450 peak hourly traffic trips, or exceeding 1350 maximum daily traffic trips.
 - a. Zoning Ordinance 1-19-5.310 should change “Places of Worship” to “Small Scale Places of Worship”.
 - b. Zoning Ordinance 1-19-5.310 should note “PS” under “R3” and “L1” for Small Scale Places of Worship to reflect a permitted use in the R3 and L1 Zoning Districts.

c. Zoning Ordinance 1-19-5.310 should note “E” under “RC” “A” and “I” (if created) and in any case should be evaluated using the criteria in 1-19-319 “Institutional Floating Zone” District (I).

d. Zoning Ordinance 1-19-8.329 should reflect the current regulations governing child care centers or nursery schools on premises owned or leased by a religious organization unless such uses would either cause the 37,500 total square foot floor area or the 450 peak hour traffic trips/ 1350 maximum daily trips to be exceeded at which point the “Special Exception” criteria would be triggered.

Respectfully submitted this 26th day of February, 2009.

Robert J Lawrence
for the minority